

Exhibit A



BY EMAIL: rulemaking@nysenate.gov

December 18, 2023

Administrative Regulations
Review Commission
New York State Senate
Albany, New York

Re: Notice of Proposed Rule Making – CBDTP Toll Rate Schedule

Dear Sir/Madam:

Pursuant to Section 101-a of the Executive Law and Section 202 (6-a) of the State Administrative Procedure Act ("SAPA"), notice is hereby given of the proposed addition of a new Part 1021.4 of Title 21 New York Codes, Rules and Regulations to establish the initial toll rate schedule for use of the central business district ("CBD") under the central business district tolling program ("CBDTP") operated by the Triborough Bridge and Tunnel Authority ("TBTA").

- (1) Authority for the adoption of the new regulation is granted by Public Authorities Law § 553 (12-a).
- (2) Comments, data, views or arguments with respect to proposals to establish CBD toll rates should be submitted to Paul L. Friman, General Counsel and Corporate Secretary, Triborough Bridge and Tunnel Authority, 2 Broadway, 24th Floor, New York, New York 10004, telephone 646-252-7610; email pfriman@mtabt.org.
- (3) Enclosed is a copy of the Notice of Proposed Rule Making (Rate Making), with the complete text of the proposed rule attached. Also enclosed is the Executive Order No. 17 Fiscal Checklist. Because the proposed CBD toll rate schedule is a rule as defined in State Administrative Procedure Act § 102 (2) (a) (ii), neither a Regulatory Impact Statement, Regulatory Flexibility Analysis, Rural Area Flexibility Analysis, nor Job Impact Statement is required.
- (4) While state and municipal officials whose vehicles enter the CBD will incur CBD toll charges, the proposed rule will have positive fiscal consequences on state and local governments because additional revenues will be raised for mass transit and commuter transportation.
- (5) The proposed rule will have a positive effect on the creation and retention of jobs within New York State because additional revenues will be used for

These initial CBD toll schedule rates are being proposed for adoption to fulfill TBTA's statutory mandate to establish and operate a CBDTP; establish and charge variable tolls for vehicles entering or remaining in the CBD; and make rules and regulations for the establishment and collection of CBD tolls. By law, the CBDTP must not only result in reduced traffic congestion in the CBD; it must also generate enough net annual revenue to fund \$15 billion for capital projects for the mass transit and commuter transportation system operated by the Metropolitan Transportation Authority, the New York City Transit Authority ("NYCTA") and their subsidiaries (collectively, the "MTA"). On December 6, 2023 the Board authorized TBTA to initiate the CBD toll schedule rate making process.

With regard to CBD toll charges, the goals of the proposed CBDTP initial toll rate schedule are to reduce traffic congestion within the CBD and generate \$15 billion to fund MTA's transit and commuter rail system capital projects. The proposed CBDTP initial toll rate schedule prioritizes keeping the base toll as low as possible, avoiding unnecessary traffic diversions, and supporting equity goals and environmental justice.

The proposal in summary includes the following CBD tolls:

- Passenger vehicles and passenger-type vehicles with commercial license plates would be charged a \$15 peak period E-ZPass toll for entering the CBD, no more than once per day.
- Trucks would be charged a \$24 or \$36 peak period E-ZPass toll for entering the CBD, depending on their size.
- Buses providing transit or commuter services would be exempted from the toll. Other buses would be charged a \$24 or \$36 peak period E-ZPass toll for entering the CBD, depending on their type.
- Motorcycles would be charged half the respective passenger vehicle toll, no more than once per day.
- Tolls would be charged to vehicles only as they enter the CBD – not if they remain in or leave the zone.
- Peak period toll rates would apply during the most congested times of the day – from 5am to 9pm on weekdays, and from 9am to 9pm on weekends. Toll rates would be 75% lower in the overnight period.
- A tunnel credit against the peak period CBD toll rate would be provided to vehicles with E-ZPass entering through the four tolled entries that lead directly into the CBD: the Queens-Midtown, Hugh L. Carey, Holland, and Lincoln Tunnels. The E-ZPass credit would be: for passenger vehicles \$5 (if entering the CBD via the Lincoln or Holland Tunnel) or \$2.50 (if entering or exiting the CBD via the Queens-Midtown or Hugh L. Carey Tunnel); for motorcycles \$2.50 (if entering the CBD via the Lincoln or Holland Tunnel) or \$1.25 (if entering or exiting the CBD via the Queens-Midtown or Hugh L. Carey Tunnel); for small trucks \$12 (if entering the CBD via the Lincoln or Holland Tunnel) or \$6 (if entering or exiting the CBD via the Queens-Midtown or Hugh L. Carey Tunnel); and for large trucks and licensed

- NYC Taxi and Limousine Commission (TLC) taxis, green cabs, and for-hire vehicles (FHVs) would be exempted from the daily system toll on vehicles. Instead, a per-trip CBD toll would be added to each paid passenger trip fare for trips made to, from, or within the CBD at the toll rate of \$1.25 per-trip for taxis, green cabs and FHVs, and \$2.50 per-trip for FHVs on trips dispatched by a high-volume for-hire service (HVFHS).
- Specialized government vehicles would be exempted from the CBD toll (in addition to qualifying authorized emergency vehicles and qualifying vehicles transporting persons with disabilities, as required by law).
- Low-income vehicle owners who qualify and register with TBTA for the Low-Income Discount Plan would receive a peak period E-ZPass toll rate that is 50% less than the passenger vehicle peak period E-ZPass toll rate, on their eligible vehicle's 11th trip and trips thereafter in a calendar month.
- Generally, CBD toll rates for vehicles using fare media other than E-ZPass, commonly referred to as Tolls by Mail, would be double that of E-ZPass customers.

Details are in the attached text of the proposed rule, 21 NYCRR 1021.4.

The first CBD toll charge schedule in the attached rule text describes the proposed rates for E-ZPass customers (regardless of which customer service center was used to open the account).

The CBD toll rates described in the second schedule of the attached rule text are for customers using fare media other than E-ZPass, which schedule includes the rates for Tolls by Mail customers.

Sincerely,



Paul L. Friman
General Counsel and Corporate Secretary
Triborough Bridge and Tunnel Authority
646-252-7610
pfriman@mtabt.org



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